

Report Date: November 4, 2015

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

NOV - 5 2015
BEAN F. McAVOY, CLERK
DEPUTY
YAKIMA, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Dustin A. Lewis Case Number: 0980 2:08CR02112-LRS-1
 Address of Offender: [REDACTED] Spokane, Washington 99207
 Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge
 Date of Original Sentence: August 6, 2009
 Original Offense: Possession of a Firearm by a Prohibited Person, 18 U.S.C. § 922(g)(1)
 Original Sentence: Prison - 84 months; Type of Supervision: Supervised Release
 TSR - 36 months
 Asst. U.S. Attorney: James A. Goeke Date Supervision Commenced: May 5, 2015
 Defense Attorney: Meredith B. Esser Date Supervision Expires: March 4, 2018

 PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on July 2, 2015.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
2	<p><u>Special Condition # 17:</u> You shall complete a mental health evaluation and follow any treatment recommendations. You shall allow reciprocal release of information between the supervising probation officer and treatment provider. You shall contribute to the cost of treatment according to your ability.</p> <p><u>Supporting Evidence:</u> Mr. Lewis has failed to report for his scheduled mental health treatment sessions on September 30, and October 29, 2015.</p>
3	<p><u>Special Condition # 19:</u> You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.</p> <p><u>Supporting Evidence:</u> Mr. Lewis failed to report for intensive outpatient treatment sessions at Alcohol Drug Education Prevention and Treatment (ADEPT) on August, 11, 12, 18, and 19, September 17, 21, 22, 24, 28, and 29, and October 13, 14, 19, and 22, 2015.</p>

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ADEPT has also advised that on September 9, 2015, Mr. Lewis was observed purchasing alcohol at a convenience store and upon his return back to the treatment group, ADEPT administered a portable Breathalyzer test, which returned a reading of .06. Alcohol consumption is a violation of Mr. Lewis' chemical dependency treatment plan.

- 4 **Special Condition #20:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Lewis failed to report to ADEPT for a random urinalysis test on September 21, 2015.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 11/04/2015

s/Charles Kuipers

Charles Kuipers
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Issuance of a Warrant
☐ The Issuance of a Summons
☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
☐ Defendant to appear before the Judge assigned to the case.
☐ Defendant to appear before the Magistrate Judge.
☐ Other


 Signature of Judicial Officer

11/5/15
 Date